

## **REMARKS**

Claims 1, 2, 5-7 and 9-21 are all the claims pending in the application.

### **I. Claim Rejections under 35 U.S.C. § 103(a)**

A. Claims 1-9, 13-17 and 19-21 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Identification cards - Contactless integrated circuit(s) cards - Proximity cards (XP-001146902), hereafter “14443-3”) in view of Berger et al. (US 6,168,083) and Brandys (US 2002/0186838).

Claim 1, as amended, recites the features of a first request judgment unit operable to judge, based on a first request judgment flag, whether the command received by the receiving unit is a first request command or a second or later request command, wherein the sending unit is operable to send, to the reader/writer, (i) a new identifier determined by the identifier determination unit in the case where the first request judgment unit judges that the command received by the receiving unit is the first request command, and (ii) the identifier held in the identifier storage unit in the case where the first request judgment unit judges that the command received by the receiving unit is the second or later request command.

Applicants respectfully submit that 14443-3, Berger, and Brandys do not teach or suggest the above-noted features recited in amended claim 1 for at least the following reasons.

Regarding 14443-3, Applicants note that this reference discloses a system in which two types of request commands are transmitted from a partner device to a proximity card, namely, Request Command Type A (REQA) and Request Command Type B (REQB), with the answers to these request commands being identified as Answer to Request Type A (ATQA) and Answer to

Request Type B (ATQB) (see sections 6.4.2 and 7.9.2). In this regard, as explained in 14443-3, the ATQA includes a Unique Identifier (UID), and the ATQB includes a Pseudo-Unique PICC Identifier (PUPI) to differentiate proximity cards during anticollision (see sections 6.4.2 and 7.9.2).

Based on the foregoing description, Applicants note that while 14443-3 discloses that switching between types of identifiers is based upon a request command (i.e., REQA or REQB) which is received from the partner device, it is respectfully submitted that 14443-3 does not disclose or in any way suggest the use of a first request judgment unit operable to judge, based on a first request judgment flag, whether the command received by the receiving unit is a first request command or a second or later request command, wherein the sending unit is operable to send, to the reader/writer, (i) a new identifier determined by the identifier determination unit in the case where the first request judgment unit judges that the command received by the receiving unit is the first request command, and (ii) the identifier held in the identifier storage unit in the case where the first request judgment unit judges that the command received by the receiving unit is the second or later request command, as recited in amended claim 1.

Regarding Berger, Applicants note that this reference discloses the use of a voltage recognition circuit that is able to switch between a contactless mode and a contact mode based on a detected voltage (see col. 2, lines 37-45).

Based on the foregoing, Applicants note that while Berger discloses the ability to switch between a contactless mode and a contact mode based on a detected voltage, that Berger does not disclose or in any way suggest the use of a first request judgment unit operable to judge, based on

a first request judgment flag, whether the command received by the receiving unit is a first request command or a second or later request command, wherein the sending unit is operable to send, to the reader/writer, (i) a new identifier determined by the identifier determination unit in the case where the first request judgment unit judges that the command received by the receiving unit is the first request command, and (ii) the identifier held in the identifier storage unit in the case where the first request judgment unit judges that the command received by the receiving unit is the second or later request command, as recited in amended claim 1.

Regarding Brandys, Applicants note that this reference discloses a system having the ability to generate digital signatures using biometric information (see paragraph [0003]). In particular, Brandys discloses a method which includes storing biometric information indicative of a user on a secure device, receiving biometric information indicative of a user, and comparing the stored biometric information with the received biometric information, and if the comparison is successful, generating a digital signature (see paragraph [00156]).

Based on the foregoing description, Applicants note that while Brandys discloses a system which is able to generate digital signatures using biometric information, that Brandys does not disclose or in any way suggest the use of a first request judgment unit operable to judge, based on a first request judgment flag, whether the command received by the receiving unit is a first request command or a second or later request command, wherein the sending unit is operable to send, to the reader/writer, (i) a new identifier determined by the identifier determination unit in the case where the first request judgment unit judges that the command received by the receiving unit is the first request command, and (ii) the identifier held in the identifier storage unit in the

case where the first request judgment unit judges that the command received by the receiving unit is the second or later request command, as recited in amended claim 1.

In view of the foregoing, Applicants respectfully submit that 14443-3, Berger, and Brandys, either alone or in combination, do not teach, suggest or otherwise render obvious the above-noted features recited in amended claim 1. Accordingly, Applicants respectfully submit that amended claim 1 is patentable over the cited prior art references, an indication of which is kindly requested.

Regarding claims 2, 5-7, 9, 17, 19 and 20, Applicants note that these claims depend from claim 1 and are therefore considered patentable at least by virtue of their dependency.

Regarding claims 13, 15 and 16, Applicants note that these claims have been amended so as to recite the features of judging, based on a first request judgment flag, whether the command received in said receiving is a first request command or a second or later request command; and sending, to the reader/writer, (i) a new identifier generated in said generating in the case where it is judged in said judging, based on the first request judgment flag, that the command received in said receiving is the first request command, and (ii) the generated identifier stored into the storage unit in said storing in the case where it is judged in said judging, based on the first request judgment flag, that the command received in said receiving is the second or later request command.

For at least similar reasons as discussed above with respect to claim 1, Applicants respectfully submit that the combination of 14443-3, Berger, and Brandys does not teach, suggest or otherwise render obvious the above-noted features recited in amended claims 13, 15 and 16.

Accordingly, Applicants submit that claims 13, 15 and 16 are patentable over the cited prior art, an indication of which is kindly requested. Claim 21 depends from claim 13 and is therefore considered patentable at least by virtue of their dependency.

Regarding claim 14, Applicants note that this claim has been amended to recite the features of a first request judgment unit operable to judge, based on a first request judgment flag, whether the command received by the receiving unit is a first request command or a second or later request command, wherein the sending unit is operable to send, to the reader/writer, (i) a new identifier determined by the identifier determination unit in the case where the first request judgment unit judges that the command received by the receiving unit is the first request command, and (ii) the identifier held in the identifier storage unit in the case where the first request judgment unit judges that the command received by the receiving unit is the second or later request command.

For at least similar reasons as discussed above with respect to claim 1, Applicants respectfully submit that the combination of 14443-3, Berger and Brandys does not teach, suggest or otherwise render obvious the above-noted features recited in amended claim 14. Accordingly, Applicants submit that claim 14 is patentable over the cited prior art, an indication of which is kindly requested.

B. Claim 10 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over 14443-3 in view of Berger and Brandys, and further in view of Nakabe et al. (US 2003/0094491).

Claim 10 depends from claim 1. Applicants submit that Nakabe fails to cure the deficiencies of 14443-3, Berger, and Brandys, as discussed above, with respect to claim 1. Accordingly, Applicants submit that claim 10 is patentable at least by virtue of its dependency.

C. Claims 11 and 12 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over 14443-3 in view Berger and Brandys, and further in view of Guenther (US 6,111,951).

Claims 11 and 12 depend from claim 1. Applicants submit that Guenther fails to cure the deficiencies of 14443-3, Berger, and Brandys, as discussed above, with respect to claim 1. Accordingly, Applicants submit that claims 11 and 12 are patentable at least by virtue of their dependency.

## **II. Conclusion**

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited.

If any points remain in issue which the Examiner feels may best be resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,

Futoshi NAKABE et al.

/Kenneth W. Fields/

By: 2009.11.17 14:35:57 -05'00'

---

Kenneth W. Fields  
Registration No. 52,430  
Attorney for Applicants

KWF/cbc  
Washington, D.C. 20006-1021  
Telephone (202) 721-8200  
Facsimile (202) 721-8250  
November 17, 2009